

105TH CONGRESS
1ST SESSION

S. 1028

To direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities.

IN THE SENATE OF THE UNITED STATES

JULY 17, 1997

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Quincy Library Group
3 Forest Recovery and Economic Stability Act of 1997”.

4 **SEC. 2. PILOT PROJECT FOR PLUMAS, LASSEN, AND TAHOE**
5 **NATIONAL FORESTS TO IMPLEMENT QUINCY**
6 **LIBRARY GROUP PROPOSAL.**

7 (a) DEFINITION.—For purposes of this section, the
8 term “Quincy Library Group-Community Stability Pro-
9 posal” means the agreement by a coalition of representa-
10 tives of fisheries, timber, environmental, county govern-
11 ment, citizen groups, and local communities that formed
12 in northern California to develop a resource management
13 program that promotes ecologic and economic health for
14 certain Federal lands and communities in the Sierra Ne-
15 vada area. Such proposal includes the map entitled
16 “QUINCY LIBRARY GROUP Community Stability Pro-
17 posal”, dated June 1993, and prepared by VESTRA Re-
18 sources of Redding, California.

19 (b) PILOT PROJECT REQUIRED.—

20 (1) PILOT PROJECT AND PURPOSE.—The Sec-
21 retary of Agriculture (in this section referred to as
22 the “Secretary”), acting through the Forest Service
23 and after completion of an environmental impact
24 statement (a record of decision for which shall be
25 adopted within 200 days), shall conduct a pilot
26 project on the Federal lands described in paragraph

1 (2) to implement and demonstrate the effectiveness
2 of the resource management activities described in
3 subsection (d) and the other requirements of this
4 section, as recommended in the Quincy Library
5 Group-Community Stability Proposal.

6 (2) PILOT PROJECT AREA.—The Secretary shall
7 conduct the pilot project on the Federal lands within
8 Plumas National Forest, Lassen National Forest,
9 and the Sierraville Ranger District of Tahoe Na-
10 tional Forest in the State of California designated as
11 “Available for Group Selection” on the map entitled
12 “QUINCY LIBRARY GROUP Community Stability
13 Proposal”, dated June 1993 (in this section referred
14 to as the “pilot project area”). Such map shall be
15 on file and available for inspection in the appro-
16 priate offices of the Forest Service.

17 (c) EXCLUSION OF CERTAIN LANDS, RIPARIAN PRO-
18 TECTION AND COMPLIANCE.—

19 (1) EXCLUSION.—All spotted owl habitat areas
20 and protected activity centers located within the
21 pilot project area designated under subsection (b)(2)
22 will be deferred from resource management activities
23 required under subsection (d) and timber harvesting
24 during the term of the pilot project.

1 (2) IN GENERAL.—The Regional Forester for
 2 region 5 shall direct that during the term of the
 3 pilot project any resource management activity re-
 4 quired by subsection (d), all road building, and all
 5 timber harvesting activities shall not be conducted
 6 on the Federal lands within the Plumas National
 7 Forest, Lassen National Forest, and Sierraville
 8 Ranger District of the Tahoe National Forest in the
 9 State of California that are designated as either
 10 “Off Base” or “Deferred” on the map referred to in
 11 subsection (a).

12 (3) RIPARIAN PROTECTION.—

13 (A) IN GENERAL.—The Scientific Analysis
 14 Team guidelines for riparian system protection
 15 described in subparagraph (B) shall apply to all
 16 resource management activities conducted
 17 under subsection (d) and all timber harvesting
 18 activities that occur in the pilot project area
 19 during the term of the pilot project.

20 (B) GUIDELINES DESCRIBED.—The guide-
 21 lines referred to in subparagraph (A) are those
 22 in the document entitled “Viability Assessments
 23 and Management Considerations for Species
 24 Associated with Late-Successional and Old-
 25 Growth Forests of the Pacific Northwest”, a

1 Forest Service research document dated March
2 1993 and co-authored by the Scientific Analysis
3 Team, including Dr. Jack Ward Thomas.

4 (4) COMPLIANCE.—All resource management
5 activities required by subsection (d) shall be imple-
6 mented to the extent consistent with applicable Fed-
7 eral law and the standards and guidelines for the
8 conservation of the California spotted owl as set
9 forth in the California Spotted Owl Sierran Provence
10 Interim Guidelines, or the subsequently issued final
11 guidelines whichever is in effect.

12 (d) RESOURCE MANAGEMENT ACTIVITIES.—During
13 the term of the pilot project, the Secretary shall implement
14 and carry out the following resource management activi-
15 ties on an acreage basis on the Federal lands included
16 within the pilot project area designated under subsection
17 (b)(2):

18 (1) FUELBREAK CONSTRUCTION.—Construction
19 of a strategic system of defensible fuel profile zones,
20 including shaded fuelbreaks, utilizing thinning, indi-
21 vidual tree selection, and other methods of vegeta-
22 tion management consistent with the Quincy Library
23 Group-Community Stability Proposal, on not less
24 than 40,000, but not more than 60,000, acres per
25 year.

1 (2) GROUP SELECTION AND INDIVIDUAL TREE
 2 SELECTION.—Utilization of group selection and indi-
 3 vidual tree selection uneven-aged forest management
 4 prescriptions described in the Quincy Library
 5 Group-Community Stability Proposal to achieve a
 6 desired future condition of all-age, multistory, fire
 7 resilient forests as follows:

8 (A) GROUP SELECTION.—Group selection
 9 on an average acreage of .57 percent of the
 10 pilot project area land each year of the pilot
 11 project.

12 (B) INDIVIDUAL TREE SELECTION.—Indi-
 13 vidual tree selection may also be utilized within
 14 the pilot project area.

15 (3) TOTAL ACREAGE.—The total acreage on
 16 which resource management activities are imple-
 17 mented under this subsection shall not exceed
 18 70,000 acres each year.

19 (4) RIPARIAN MANAGEMENT.—A program of ri-
 20 parian management, including wide protection zones
 21 and riparian restoration projects, consistent with ri-
 22 parian protection guidelines in subsection (c)(2)(B).

23 (e) COST-EFFECTIVENESS.—In conducting the pilot
 24 project, Secretary shall use the most cost-effective means
 25 available, as determined by the Secretary, to implement

1 resource management activities described in subsection
2 (d).

3 (f) FUNDING.—

4 (1) SOURCE OF FUNDS.—In conducting the
5 pilot project, the Secretary shall use, subject to the
6 relevant reprogramming guidelines of the House and
7 Senate Committees on Appropriations—

8 (A) those funds specifically provided to the
9 Forest Service by the Secretary to implement
10 resource management activities according to the
11 Quincy Library Group-Community Stability
12 Proposal; and

13 (B) excess funds that are allocated for the
14 administration and management of Plumas Na-
15 tional Forest, Lassen National Forest, and the
16 Sierraville Ranger District of Tahoe National
17 Forest.

18 (2) PROHIBITION ON USE OF CERTAIN
19 FUNDS.—The Secretary may not conduct the pilot
20 project using funds appropriated for any other unit
21 of the National Forest System.

22 (3) FLEXIBILITY.—Subject to normal re-
23 programming guidelines, during the term of the pilot
24 project, the forest supervisors of Plumas National
25 Forest, Lassen National Forest, and Tahoe National

1 Forest may allocate and use all accounts that con-
 2 tain excess funds and all available excess funds for
 3 the administration and management of Plumas Na-
 4 tional Forest, Lassen National Forest, and the
 5 Sierraville Ranger District of Tahoe National Forest
 6 to perform the resource management activities de-
 7 scribed in subsection (d).

8 (4) RESTRICTION.—The Secretary or the forest
 9 supervisors, as the case may be, shall not utilize au-
 10 thority provided under paragraphs (1)(B) and (3) if,
 11 in their judgment, doing so will limit other nontim-
 12 ber related multiple use activities for which such
 13 funds were available.

14 (5) OVERHEAD.—Of amounts available to carry
 15 out this section—

16 (A) not more than 12 percent may be used
 17 or allocated for general administration or other
 18 overhead; and

19 (B) at least 88 percent shall be used to im-
 20 plement and carry out activities required by
 21 this section.

22 (6) AUTHORIZED SUPPLEMENTAL FUNDS.—
 23 There are authorized to be appropriated to imple-
 24 ment and carry out the pilot project such sums as
 25 are necessary.

1 (7) BASELINE FUNDS.—Amounts available for
2 resource management activities authorized under
3 subsection (d) shall at a minimum include existing
4 baseline funding levels.

5 (g) TERM OF PILOT PROJECT.—The Secretary shall
6 conduct the pilot project during the period beginning on
7 the date of the enactment of this Act and ending on the
8 later of the following:

9 (1) The date on which the Secretary completes
10 amendment or revision of the land and resource
11 management plans for Plumas National Forest,
12 Lassen National Forest, and Tahoe National Forest
13 pursuant to subsection (i).

14 (2) The date that is five years after the date of
15 the commencement of the pilot project.

16 (h) CONSULTATION.—(1) Each statement required
17 by subsection (b)(1) shall be prepared in consultation with
18 the Quincy Library Group.

19 (2) CONTRACTING.—The Forest Service, subject to
20 the availability of appropriations, may carry out any (or
21 all) of the requirements of this section using private con-
22 tracts.

23 (i) CORRESPONDING FOREST PLAN AMENDMENTS.—
24 Within 180 days after the date of the enactment of this
25 Act, the Regional Forester for Region 5 shall initiate the

1 process to amend or revise the land and resource manage-
 2 ment plans for Plumas National Forest, Lassen National
 3 Forest, and Tahoe National Forest. The process shall in-
 4 clude preparation of at least one alternative that—

5 (1) incorporates the pilot project and area des-
 6 ignations made by subsection (b), the resource man-
 7 agement activities described in subsection (d), and
 8 other aspects of the Quincy Library Group Commu-
 9 nity Stability Proposal; and

10 (2) makes other changes warranted by the anal-
 11 yses conducted in compliance with section 102(2) of
 12 the National Environmental Policy Act of 1969 (42
 13 U.S.C. 4332(2)), section 6 of the Forest and Range-
 14 land Renewable Resources Planning Act of 1974 (16
 15 U.S.C. 1604), and other applicable laws.

16 (j) REPORTING REQUIREMENTS.—

17 (1) IN GENERAL.—Not later than February 28
 18 of each year during the term of the pilot project, the
 19 Secretary after consultation with the Quincy Library
 20 Group, shall submit to Congress a report on the sta-
 21 tus of the pilot project. The report shall include at
 22 least the following:

23 (A) A complete accounting of the use of
 24 funds made available under subsection (f)(1)(A)
 25 until such funds are fully expended.

1 (B) A complete accounting of the use of
2 funds and accounts made available under sub-
3 section (f)(1) for the previous fiscal year, in-
4 cluding a schedule of the amounts drawn from
5 each account used to perform resource manage-
6 ment activities described in subsection (d).

7 (C) A description of total acres treated for
8 each of the resource management activities re-
9 quired under subsection (d), forest health im-
10 provements, fire risk reductions, water yield in-
11 creases, and other natural resources-related
12 benefits achieved by the implementation of the
13 resource management activities described in
14 subsection (d).

15 (D) A description of the economic benefits
16 to local communities achieved by the implemen-
17 tation of the pilot project.

18 (E) A comparison of the revenues gen-
19 erated by, and costs incurred in, the implemen-
20 tation of the resource management activities de-
21 scribed in subsection (d) on the Federal lands
22 included in the pilot project area with the reve-
23 nues and costs during each of the fiscal years
24 1992 through 1997 for timber management of

1 such lands before their inclusion in the pilot
2 project.

3 (F) A schedule for the resource manage-
4 ment activities to be undertaken in the pilot
5 project area during the calendar year.

6 (G) A description of any adverse environ-
7 mental impacts.

8 (2) LIMITATION ON EXPENDITURES.—The
9 amount of Federal funds expended on each annual
10 report under this subsection shall not exceed
11 \$50,000.

12 (k) FINAL REPORT.—

13 (1) IN GENERAL.—Beginning after completion
14 of 6 months of the second year of the pilot project,
15 the Secretary shall compile a science-based assess-
16 ment of, and report on, the effectiveness of the pilot
17 project in meeting the stated goals of this pilot
18 project. Such assessment and report—

19 (A) shall include watershed monitoring of
20 lands treated under this section, that should ad-
21 dress the following issues on a priority basis:
22 timing of water releases, water quality changes,
23 and water yield changes over the short and long
24 term in the pilot project area;

1 (B) shall include an analysis of any ad-
2 verse environmental impacts;

3 (C) shall be compiled in consultation with
4 the Quincy Library Group; and

5 (D) shall be submitted to the Congress by
6 July 1, 2002.

7 (2) LIMITATIONS ON EXPENDITURES.—The
8 amount of Federal funds expended for the assess-
9 ment and report under this subsection, other than
10 for watershed monitoring under paragraph (1)(A),
11 shall not exceed \$150,000. The amount of Federal
12 funds expended for watershed monitoring under
13 paragraph (1)(A) shall not exceed \$75,000 for each
14 of fiscal years 2000, 2001, and 2002.

15 (l) RELATIONSHIP TO OTHER LAWS.—Nothing in
16 this section exempts the pilot project from any Federal
17 environmental law.

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